RAILROADS.

MEMPHIS AND CHARLESTON B. R.

CHARGE OF SCHEDULE. ON AND AFTER BUNDAY, MARCH 12,

Special Retice to Loral
Trains will not stop at Vance street.

Express train leaving Memphis at 5:50 p.m.

Hill stop only at Telegraph Stations. Grand
unction Accommodation will stop at Stalons only where the company has agencies.

The Accommodation train leaving at 5:50

The Accommodation train leaving at 5:50 Hons on Accommodation train leaving at 5:30 am and arriving at 11 pm. makes connection to and arrowing at 11 pm. makes connection to and from points on the New Orleans, 5t. Lonis and Chicago railroad with Memphis. No change of cars between Memphis and Bristol and Memphis and Montgomery. The new line of Siesping-Cars just established upon this "Old Beliable Eoute," will have one of their Magnificant singerfess leaving Memphis Bailty on Express train at 6:0 p.m., for Lynchburg, Washington and Faitimore without change, Only one Change 12 New York and Philadelphis.

Time 2 minutes faster than city time.

Ticket Office, 27% Main street.

W. J. ROSS, Gen'l Sup't.

PUSSISSIPPI AND TENNESSEERR, R.

CHARGE OF SCHEDULE.

ON AND AFTER MONDAY, JANUARY Close connections made at Grenada with trains North and South for all points. For further information apply to Ticket office, No. 287 Main street, and at depot. M. BURKE, Superintendent, JAMES SPEED, Ticket Agent.

LOUISVILLE AND NASHVILLE

---AND----GREAT SOUTHERN RAILROAD. ISCHEDULE.

Pullman Palace Sleeping-Cars on all night rains.
For tickets or information apply at

Ticket Office, No. 287 Main Street, CORNER MADISON.

JOHN T. FLYNN, Sup't Memphis Div. JAMES SPEED, Ticket Agent. AMUSEMENTS.

MEMPHIS THEATER. ONE WEEK ONLY, AND SATURDAY MATINEE Commencing

Monday Evening, March 13, 1876. H. T. PADDOCK Manager The Supreme Favorite and Pearl of the

MAGGIE MITCHELL,

Supported by the Sterling Actor, MR. WM. HARRIS.

AND A FIRST-CLASS COMPANY. Monday Evening, March 13th, FANCHON, THE CRICKET. Tuesday Evening, March 14th, JANE EYEE. Wednesday Evening, March 15th,

LITTLE BAREFOOT. Thursday Evening, March 16th, PEARL OF SAVOY. Friday Evening, March 17th, LORLE. Saturday Matinee, March 18th, FANCHON.

Saturday Evening, March 18th, LITTLE BAREFOOT.

Scale of prices as usual. THOS. W. BROWN, Agent. MIGHIS OF INNISPAIL! THIED ANNUAL HOP

AT

Cochran Hall, March 17, 1876. COMMITTEE OF ARRANGEMENTS:

James Bohan. James Cleary.
M. C. Costillo. FLOOR COMMITTEE: James E. Fox.
P. McGaughan.
B. H. Carbery.
P. Eoyle.
James F. Ryan.
J. M. Collins. J. Connedly, Ch'm. W. F. Carroll

RECEPTION COMMITTEE: F. N. Quigley. P. Haggerty, R. O'Brien, P. Kalaher, Ch'm. P. J. Mulvihili, P. J. Kelly, r. Nagle. Frank Murphy.

Tickets including Lady........ 82.

FOR RENT.

DWELLING-Large dwelling with 14 rooms, in good condition, at 36 Madison st.; pos-session given March 1st; inquire on premises. M AIN STREET STORE—The large and destrably located store, 80 Main, with 100my, dry basement. Apply to G. A. STOVALL.

JAMES PARK—For picnies and drills, and all genteel outdoor revels, "James Park."

W. A. WHEATLEY, No. 280 Main st. FLOORS-The three upper floors of No. 7
Adams street, containing 8 large rooms,
Apply to THOS. FISHER, Emmet Bank. RESIDENCE—The late residence of J. D. Williams, No. 537 Shelby street. Apply to W. JOYNER, 325 Main street. EXPOSITION BUILDING-The old Mem-phis industrial Exposition Building. Apply to C. N. GROSVENOR, jai FINE OFFICES AND SLEEPING BOOMS-pienty of water on every floor. SLEEGE, McKAY & CO., del ST and 573 Main st.

FOR SALE.

YOUNG MARE-Four years old, gentle, and a good plow animal. Can be seen at 432 MAIN STREET, BULLDING LOTS-If you wish to be inde-pendent, secure a bome. I am now offer-ing to parties who wish to build, lots on the Thomas tract at one-half their value. The ent you are now paying will soon secure you home of your own. Real Estate Agent, No. 8 Madison street,

AND-Ten acres choice residence land well timbered, near Union avenue, two miles from the city, very cheap.

mbl0 W. A. COLLIER, 16 Madison st.

ROCKAWAY AND HORSE-A stylish and a durable rockaway, and an excellent horse, at a bargain for cash. Address J. J. E., Appeal office. 250,000 FENCE PICKETS, 1x3x4 feet, will at \$60 per thousand, by WILLIAMS & CO., Lumber Dealers.

COTTON-SEED—Everal thousand bushels
of sound selected Boyd Proline CottonSeed at seventy-five cents per bushel. Also,
several hundred bushels of Orizaba Seed at
\$2.20 per bushel. For sale by
RALPH WORMELEY & CO.,
mh7 daw No. 9 Union street.

A TTRACTIVE CREDIT SALE OF BUSI-NESS AND RESIDENCE PROPERTY.-A NESS AND RESIDENCE PROPERTY.—I offer for sale the Gallaway two-story brick house, No. 72 Court street, corner of Third, 88 by 168% feet to an aliey. Also—Lot No. 3, plock 65, Union street, esst and adjoining Hall's livery stable, 40 by 200 feet to an aliey. Also—Part lot 341, east side, known as wait & Lewis's coal yard, 74% by 168% feet to an aliey. Also—Four houses and lots on Linden street, east corner of DeSoto, fronting 150 feet on Linden by desirable depth, being one brick two-story residence, occupied by Hon. John Loagne, and the three two-story frames, joining lots east thereof. All and such of these properties are now offered at private sale—one-fifth cash, and balance in 1, 2, 3, 4 and 5 equal annual installments, with six per cent. Interest annually. If not sold by the 20th day of April, all the above property will be sold publicly—one-third cash, balance in 1 and 2 two years, with six per cent. Interest. For this interest and the contraction and overhome entreest. two years, with six per cent. interest. For and purchase, apply to my | New York Graphic, retur agent, W. A. Wheatley, 30 Main st., Bethel block. WM. JOHNSTON.

ORD WOOD-250 cords best quality stove-wood \$5 50 on sevee, \$4 50 delivered. Call at levee foot Union street, or to JOSEPH ROGEES, No. 3 Howard's Row. G BOCERY-Family grocery, good stand, 1924

AUCTION. UNDERWRITER'S SALE, AT AUCIION.

of Bleached and Unbleached Sheetings and Shirtings and Pillow Cotton, Fine White and Gray Blankers, Socks and Trunks, slightly damaged by water. from Taylor & Joy's store, THURSDAY MORNING, at 10 O'CLOCK, March 16th. By A. M. Stondard 260 Second street.

LOST.

TIPPET-On Main, between Poplar and Mouroe streets, a large fur tippet. A liberal reward will be paid by leaving it at this office.

STRAYED.

ULES on the night of February 21st, from my place, at Germantown, Tenn., two white horse Mules, medium size; one black horse Mule, medium size; one mouse-colored horse Mule, medium size—all old, in medium condition, and no special marks. A liberal reward will be paid for information leading to their recovery. Address L. A. RHODES, Germantown Tenn. 1629 cod

FOR SALE OR RENT.

PLENDID COTTON - SHED LOT - Very Close and convenient to 263% FT. FRONT BY 188% DEEP, Will be sold at a very reduced price for cash, or will be sold on time to suit, or will be leased for ten years. GEO. A. STOVALL, 434 Madison st.

ROOMS AND BOARD. RCOMS-Furnished or unfurnished, with board; terms moderate, at 110 Monroe st.

BOARD -Handsome furnished room, for family or two gentlemen; day-boarders accommodated; references exchanged; 129 Court. ROOMS AND BOARD-Can be had at No mb12 R OOMS-Furnished or unfurnished, with board; terms moderate, at 110 Monroe st. 1)AY-BOARD AND LODGING-Front room 106 UNION STREET.

WANTS.

PAILOR-At No. 65 Jefferson atre t. Steady COPYING-Or writing of any kind, by an experienced penman; also, bills to col Address WM. BRYANT, Appeal office. BOARDER -- I am ready for a few boarders, by the week. M. J. NEWMAN, mbl4 from Atlanta, Ga., 121 Union st.

TAILORS—Two cost-makers, by McNamee
& Stark, Lagrange, Tenn. mhl4

To LOAN MONEY—On collatera'. Address,
stating where an interview may be had,
mhl4 SAMUEL, Pos office box 145. WARM HANDS-Apply soon at 100 JEFFERSON ST.

SITUATION—By a reliable servant, to wait on an invalid gentlemen, to travel, or in a private family; good reference given. Apply to Mr. Cunagin, opposite Balley church. SiTUATION—As gardener or carriage-driver, by a man who can give good references, Address A. Appeal office.

LOCAL PARAGRAPHS.

-Maggie Mitchell as "Little Barefoot" at the Theater to-night. -No arrests had been made by the police up to a late hour last night. -The case of L. E. and A. R. Pope occupied the criminal court, yesterday, and was argued until late in the after-

-Remember that this is the last week of amusement at the Theater this sea-Make the best of it and go to se

Maggie Mitchell. -The Austin (Texas) State Gazette of the seventh instant publishes a com munication from Mrs. Merriwether, o this city, which says of Victoria Wood hull: "She is simply grand, she is great and she is good." It also refers to the many obstacles encountered, and says "She has wouderfully improved since heard her in 1872; then she was at bay with the world, and threw her gauntle dewn and dared it to battle. The battle has been waged, the most unequal battle ever fought on earth. On one side, th church, the press, the prejudiced world On the other-a woman! and th woman has whipped the trio."

-Pursuant to previous announcemen General Pillow's residence and lav library were sold at bankrupt sale ye terday. There were not more than two dozen persons present, most of them being friends of the general. The bidding was not spirited, indeed it was a melancholy affair, viewed in any light. At least so the gentlemen present thought, for only two of them could be found to make an offer-one for the house at twenty-six dollars, and the other for the library at eleven dol ars. At these prices, given by friends of the general, the property was purchased and turned over to his wife. The rest of the property will be sold to-morrow, the sixteenth.

-For the last three or four days an in vestigation has been in progress before E-quire R. B. Miller, in reference to the murder of James Randall, who was stabbed on Christman day, 1874, in this city, and died on the reventh day of January following. Ed Ward and Phil Payne (colored) have been under arrest charged with the commission of the murder. The testimony thus far points out Phil Payne as the party who gave the fatal wound, but as E1. Ward had a difficulty with the decessed Randall, and was in actual conflict with him when the wounds were given, he (Ward) is likely to be held to answer for the part he took in the difficulty. Colonel T. H. Logwood and P. M. Winters, Eaq , represent the defense, and J. C. Maccabe is counsel on behalf of the State. The case will likely be argued before Esquire Miller, to-day.

-A large and representative meeting of merchants, bankers, and others interested was held at the cotton exchange last evening to take action in regard to the Nicolson pavement mandamus tax recently levied by order of the United States circuit court upon all capital invested in the city. E. M. Apperson was called to the chair, and R. A. Parker, jr., appointed secretary. The subject of the meeting having been explained by Mr. C. W. Goyer, and after the matter had received discussion at the hands of Messrs. Hanauer, Goyer and others, a committee, consisting of General J. C. Fizer, C. W. Goyer and Louis Hanauer, was appointed to confer with attorney as to the legality of the tax and report to an adjourned meeting to be held Satur day afternoon, at four o'clock. A committee to secure the necessary funds to meet attorneys' fees, etc., was then appointed, consisting of Messrs. H. M. James, Jos. Bruce, S. J. Camp, W. B. Mallory and J. R. Goodwin. After which the meeting ajourned.

PERSONAL.

THE cotton exchange registered th following visitors yesterday: Wm. F. Shelby, Keokuk; M. Hirchburg, Cincinnati; E.Goodwin and W. B. Minand, New York.

PROF. WILLIAM MUELLER, the disinguished terpsichorean artist, expects to return to Memphis by the tenth of next month, when he will commence another course of instruction for ladies and gentlemen, and also for children. MR. DANIEL FROHMAN, business manager of Calendar's Georgia Minstrels, writes us from Boston, that his troupe had met with an immense success in that city, and that everybody speaks in high terms of the real darkey

singers. MR. H. S. WICKS, the excellent correspondent and worthy agent of the from a pleasant visit to New Orleans, and leaves to-day for the east. Mr. Wicks has made many friends and formed warm social ties in Memphis during his sejourn here, and we trust he will often visit our city. He will always be welcome.

DROPERTY—LOW—The property Joining and south of Morgan's carriage-shop, near Calvary Church, corner of alley, between Jefferson and Adams. A good bargain; must be sold. W. A. WHEATLEY, 280 Main st. CITY RESIDENCE—One or more of five of those first-class city residences in the Greeniaw Block, south side of Madison street, esit of Fourth street, well known as among the most convenient and pleasant in the city from 12 to 14 rooms in each; claterns, paved backyard, high walls between each lot, sewers underground from each to the bayon. Terms easy, and price to suit the times. Apply to A. G. DENNIS, 22 Main st.

MULEDS—CHEAP—20 head of broke mare doubtless the finest spectacle of the kind ever seen in this country. We feel some space given to its illustration in the pic-MULES-CHEAP-20 head of broke mare doubtless the finest spectacle of the kind | NEURALGIA.—"Neuril" cures it. Sold by G. W. Jones & Co., Memphis.

pride in the fact that some of our own artists were engaged in getting up the effects of this grand carnival, and we are desirous that they should have due credit. They were Mr. Thos. C. Noxon, the scenic artist of the Olympic tneater, and Mr. Carl Gutherz, of this city. General Greene, of Memphis, conceived the general design, Gutherz drew the plans, and Noxon executed them, with his knowledge and experience of theatrical effects. He appears to have given great satisfaction to the managers of the show. He painted the floats for the street parade, and made the tableaux and transformation scene for the display in the Theater. We understand that all the costumes, preperties, figures of ani-mals, and other figures were imported from Paris. We further learn that the most attractive features of the Mardi-Gras pageant at Memphis will probably be transported to Philadelphia to grace the Centennial procession. Memphis is only waiting to see if New Orleans and Mobile—both Mardi-Gras cities—will join in the enterprise, divide the expense, and share the glory. It would be a novelty in Philadelphia, and well worth introducing into the Centennial

AMUSEMENTS.

festivities.

The Theater-Maggie Mitchell. The weather last night was not such as would invite a large number of people out to amusements of any kind; on the contrary it was just such as would make a comfortable fire-side more enjoyable than the greatest attraction that could be heralded with bright-colored posters and streamers of immense dimensions burdening every dead-wall in the city. But Maggie Mitchell was announced in her great new specialty of "Jayne Eyre," which broke the charm of household comforts, and a good audience was in attendance, composed of refined and in-telligent ladies and gentlemen—a yery marked testimonial of the esteem in which the talented actress is held by our people. We can not say more in praise of Maggie Mitchell's "Jane Eyre" than that her audience last night was held from first to last entirely in sympathy with the "Orphan, of Lowood," the lights and shades of the characterization being so finely touched and delicately blended as to evoke the heartiest applause from every one present. "Rochester," by Mr. William Harris; "Georgiana," by Miss Alice Wyndham, and "Mrs. Reid," by Miss Susan Flood, the conspicuous characters of the support, were very eleverly rendered, and the dressing and stage appointments were complimentary to the management. To-night Maggie Mitchell will appear as "Little Barefoot," and we hope the weather will permit the at-tendance of a full house, such as Maggie Mitchell and her company merit. Third Annual Hop of the Knights of

Innisfail. Next Friday night the Knights of Innisfail give, at Cochran hall, their third annual hop, which promises to be one of the most pleasurable events. The committees in charge of the different denartments give solat to the occasion. and assurances that nothing will be left undone necessary to a complete success. See the advertisement elsewhere.

MORTUARY.

Report of the Board of Health for the Month Ending Tuesday, February

Causes of Death.	White.	Cold.	Causes of Death.	White	Cold
Abscess	1111112 :1271	1 2 1 52111	Fever, remittent. Fever, typhoid Heart disesse. Hepatitis. Meningitis. Old age. Parturition. Pneumonia. Stomach, inflam Tumors. Typho-malari'l f. Unknown. Whooping cough Total. Still born.	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	

ulen.

19 7	8 2	27 9	Adults Minors	13	11	
	- 2				II-A	- (1)
Males.	Females.	770	Nativity.	Males.	Females.	Total.
14 26 2	6 17 5	20 43 5 2	Memphis Other pt U.S Ireland Germany Oth'r nat'ns	8 25 6 1 2	11 13 2 2	100
42	24	78	Total	42	28	7
	26	26 17 5	14 6 20 26 17 43 5 5 2 2	28	14 6 20 Memphis 8 28 17 43 Other pt U.S 25 5 5 Ireland 6 2 2 Germany 1 Oth'r naUns 2	14 6 20 Memphis 8 11 28 17 43 Other pt U.S 25 13 5 5 Ireland 6 2 2 2 Germany 1 2 Oth'r nat'ns 2

. | 13 | From 50 to 60 y'rs From 1 to 2 years. From 2 to 5 years. From 60 to 70 y'rs. From 70 to 80 y'rs. 2 From 80 to 80 y'rs... 2 From 90 to 100 y'rs... 19 From 100 to 110 y'rs. From 10 to 20 y'rs. 2 From 90 to 50 y'rs. 19 From 100 From 30 to 40 y'rs. 14 From 40 to 50 y'rs. 5 Total.

COMPARATIVE MONTHLY MORTALITY.

Still b'rn 6 7 13 6 13 13 13 10 15 8 10 2 In hosp'i 21 21 15 7 11 11 14 12 17 13 16 23 *The comparative heavy mortally in the seventh ward is due to the fact that the city hospital is located in this ward.

Published by order of the board of health.

HEBER JONES, M. D., Secretary Board of Health.

HALL'S VEGETABLE SICILIAN HAIR RENEWER-the best preparation extant for restoring gray hair to its original color, and to keep it so.

Go To Leddin's Business College. THE cheapest and best STEAM DYEING and CLEANING HOUSE in the city is at 246 Second street. T.J. WALKEL & CO.

Wall Paper. Beautiful spring patterns at Quacken-bush's paint store, 390 Main. Flowers for Sale. Mrs. Sledge has opened a salesroom at

357 Main street, in connection with her greenhouses on Rayburn avenue. Bouquests, cut flowers and floral designs, bedding plants, etc. Fresh Shad.

Victor D. Fuchs received a choice lot of fresh shad by express. For sale at prices to suit the times, at 41 Jefferson Strawberry Boxes for sale by Williams & Co., lumber deal-

er, corner Gayoso and Second streets. Our Specialties. The latest novelties in plain and stationery, juvenile books, teachers' bibles, reward cards and Sunday School A. F. DOD & CO., supplies. 3il Main street.

GARDEN SEEDS, grass seeds, fruit trees, evergreens and flowering plants, at Otto Schwill's seed store, 346 Main st. 825 Reward For the arrest and conviction of certain parties who are selling goods, repairing clocks, etc., representing themselves to

be in my employ.
V. B. THAYER, Jeweler, Fresh Oysters Received daily at J. A. Signaigo's, No. 278 Second street.

The Site for the Customhouse-Petition to the Government for Levee and Wharf Improvement

GENERAL COUNCIL.

The Tax Levy to Satisfy the Brown Mandamus-Ordinance for Stock Drovers-Preparing for Impeachment.

A Sunday Resolution Tabled-Expla nation by Councilman Donovan-Extension of the Fire Limits-Joint Session.

BOARD OF ALDERMEN.

An adjourned session of the board was held last evening, Alderman Green preaiding in the absence of President Zent. The report of the committee on ac-counts, requisitions for the several departments, passed on their final reading. The account of D. K. M'Rae was alwed on its second reading. A memorial to congress was presented by the wharf and landing committee,

ation to prevent the further washing away of the landing by the river. Received and adopted. A resolution was presented by Alderman Dent declaring that the tax of fifty-four cents on the one hundred dollars, levied to pay the T. E Brown judgment, applies to merchants' capital, and that that amount be levied on capital for the forty-seventh corporate year. Action was postponed until next meeting. The accounts of T. N. Johnson, Augus Campbell and J. B. Huchins, assessors.

A resolution in reference to closing drinking saloons on Sunday was referred to the city attorney.

Alderman Fleming offered a resolustreet in passing through the city. Adopted.

counts.

was presented, and the action of that body concurred in. The ordinance conveying to the United States government the property necessary for the erection of a customhouse passed on its second and final reading. Adjourned.

COMMON COUNCIL.

This board met in adjourned session, President Williamson in the chair, and present, Councilmen Kelly, Rourke, Donovan, Boyle, Blaise, Neely, Hardin, Doherty, Weller, Otis, Bates, Seessel, Denson, Karr, Glisson, and Hill. Doherty, A quorum in both boards being au-

nounced, the business of the evening quisition of the fire department.

reported on the subject.

committee. An ordinance regulating the repair of heart, which caused death almost insidewalks, which passed first reading stantly. A number of persons were atand was referred to the ordinance com- tracted to the spot by the shooting, and mittee in the other board, was laid on

the table.

The resolution regulating the driving of the dead man was carried to the of stock through the streets was laid on stationhouse, where E-quire Spellman The resolution asking the city attor- verdict in accordance with the above ney's opinion on the subject of Sunday facts, and exonerating Daputy-Sheriff tippling houses and public places of Powell from all blame, amusement was laid on the table with his duty as an officer of the law. Jourbut two or three dissenting votes.

dan states that the colored people were Councilman Donovan arose to a quesgenerally cognizant of tion of explanation on the subject of his that Brooks was an escaped convict, resolution on the reports of certain offi-cials, and producing Wharfmaster Kelia-a convict should be allowed to run at har's books, expressed himself highly large without any one making the atdelighted with the perfectly correct tempt to arrest him, but also stated that manner in which that official had per- he was never able to come up with him formed his duties. He then took up the until informed of his whereabouts by Steve Perkins. The action of Perkins, recorder's report, with similar expressions of pleasure and commendation, the informant, and of Jourdan, who but questioned that official's right to adroitly captured the convict, is no less collect and retain fees accruing to him | commendable than the act of the officer as ex-officio justice of the peace. The in preventing his escape after capture. gentieman's explanation was received Deputy-Sheriff Powell, it is accorded by by the board.

Deputy-Sheriff Powell, it is accorded by all hands, did his duty, and under the

by the beard. The memorial upon the subject of the river's encroachments, asking the attention of congress, etc., adopted by the to a stand without employing the last other board, was concurred in. The petition from property owners on Cynthia and Vance streets, to be allowed to build and control a certain se ver was amended so that the city should have the right to connect with or other-

wise use said sewer; and the smend-

ment of the b. ard of aldermen, striking out the words "power to act," from this board's previous action referring the petition to the improvement committee, with power to act, was concurred in. The ordinance instructing the mayor to make a deed to the site of the customhouse, and extending the time of beginning the work of the building, with the recommendations of the city attorney, came up and was generally dis-

cussed, resulting in its passage on second and final reading.

The account of C. A. Leffingwell, for three hundred dollars for the purchase of a pair of scales, tabled at last meeting, was, on motion, taken from the table and the amount allowed.

A resolution was presented by Councilman Boyle allowing Policeman C. L. Morrison pay for five days time lost by being disabled on duty. Councilman Glisson opposed its pas

sage because he did not believe it lawful, and established a bad precedent; a policeman was expected to give a month's labor for a month's salary, and the council had no right to appropriate money for services not rendered; he understood the man received his injuries in the discharge of his duty, but he did not think he had a right to draw pay for the time lost by the injuries. The resolution was adopted, Council-

man Glisson voting in the negative. The petition from R. A. Parker and others to be allowed to repair an alley, etc., approved by the health officer, was referred to the improvement commit-

petition of Messrs. Huchens, Campbell and others was referred to the finance committee. The ordinance extending the fire limits of the city passed first reading, and was referred to the fire committee.

Councilman Hill, from the tenth ward, tendered his resignation, which was accepted, and on motion the election of his successor was had. Councilman Neely nominated Mr. A.

Mr. Morrison received the unanimous

vote of the members present, and was declared elected to fill the vacancy from the tenth ward. Councilman Hill bade adieu to the council in a few well chosen sentences. Councilman Weller called up the resolast meeting, and moved that the resolution be adopted. Pending the motion a joint session was called by the mayor, which transpired, and the pending ques-

of seventy-five dollars per month vious meeting, and referred to the city attorney. Adjourned.

JOINT SESSION. The two boards were called in Joint seasion by the mayor, who laid before them the resignation of Dr. Willett as president of the board of health. The mayor nominated as his successor, Dr. R. B. Brown, but six ballots resulted in the failure of the confirmation of the mayor's nomination by the joint fame. The author is General Colton

Greene, a soldier, a gentleman and a The mayor stated that he had made poet. the nomination with a view to preserving a harmonious board of health,

claiming this department of the city's machinery of vital interest. Pending a proposition to adjourn the joint session a motion prevailed that another ballot be taken which resulted in no election.

were voted for during the balloting against the mayor's nominee. The joint session was dissolved by vote on consent of the mayor. itime Liens are Sat-

UNLOOKED-FOR KILLING.

Drs. Rogers, Sim, Tyner and Laski

Thomas Brooks, Colored, Killed by Deputy-Sheriff John Powell, While Attempting His Escape.

A mulatto negro, known by the name of Themas Brooks, was killed yesterday afternoon, about four o'clock, by Deputy-Sheriff John Powell, from whose custody Brooks was attempting to escape while being transferred from the cage in the criminal courtroom to the county jail. Brooks was a notorious character, whose name has figured on the police docket here for a number of asking the government for an appropriyears. He was convicted in the Bart-lett court, a year or two ago, on charges of cow stealing, for which he was sentenced to the penitentiary for a term of years. He has been hiding about the city for the past three or four months, and on frequent occasions admitted that he had escaped from the penitentiary. He made this confession a day or two ago in the presence of Steve Perkins, a ored roustabout on the steamer Belle of Texas, when Perkins, on Monday night, meeting Deputy-Constable Jour were referred to the committee on acdan, also colored, and who is one of the officers of E-quire Miller's court, Perkins told Jourdan that he wou'd show him where he could arrest an escaped convict, and directed him (Jourdan) to the place frequented by Brooks. Jourtion confining droves of stock to Front | dan told Perkins he would not attemp to arrest him Monday night, because he believed Brooks's pals would try to prevent the arrest, and agreed to make the Business from the common council attempt at a more seasonable time. Yesterday about three o'clock Jourdan discovered Brooks in Cage's ra'oon, on Main street, at or near the corner of Main and Commerce streets, and by a little deception got Brooks out of the saloon, laid the hands of the law upon him, and conveyed him to the criminal court-room, where he turned the prisover over to Deputy-Sheriff Powell. On the way to the court-room Brooks ac-knowledged that he was an escaped convict, having broke out from the penitentiary some time during last August. Court being in session, Deputy-Sheriff Powell locked Brooks up in the cage, but soon after took him out for the purpose of conveying him to the county was disposed of as follows:

Passed third reading: Report of the committee on accounts; account of Randolph, Hammond & Jourdan, ave when the prisoner started to walk off. hundred dollars for legal services in city lawsulfs; account of Thomas Corwin for one hundred dollars, one month's which he did at the time, but again salary as foreman of the street force; re- started off toward the street west of the building, this time hastening his foot-Passed second reading: Report of the steps until he had got beyond the alley city attorney recommending the grant- and turned southwardly toward Poplar ing of Michael Connor's claim for a street. Powell started in pursuit, callbuilding destroyed in Happy Hollow by ing to the prisoner to halt, but Brooks order of the board of health; report of paid no attention, when Powell drew order of the board of health; report of paid no attention, when Powell drew the special committee on the account of his pistol and fired over the cul-On the matter of exchanging the old for the new fire-alarm bell, action was faster, and Powell again fired with like postponed until the fire committee has results, until Brooks had reached Poplar An ordinance regulating the trial, impeachment, etc., of city officials passed | the body of the escaping prisoner, enterfirst reading and referred to the ordinance | ing the back to the left of the spinal column, and evidently perforating the

> coolness in trying to bring his prisoner resort only when duty required it.

> > OUR MARDI GRAS.

circumstances acted with remarkable

many saw the final shot, which was the

held an inquest, the jury returning a

in that he did

What Frank James Thinks of the Mem phi Illustrations of the Birth and Progress of Poetry.

The following, which we copy from the Osceola Times, is from the pen of our old and able coadjutor, Frank James: This question is made the subject of nest piece of blank verse in the APPEAL of last Sunday, and it gives us an opportunity of saying something about the marvelous street procession and series of tableaux given by that mystic body in Memphis on Mardi Gras, that lack of time and press of other business prevented us from saying last week. The rost of the APPEAL but echoes our sentiments, and those of every one who was favored with the opportunity to witness the gorgeous pageantry, when he says: Long did I gaze upon the enchanting sight, And gazing mused, and conjured in my brain One puzzing query that I fear will vex More than myself for many a year to come. "Twas this: Now, by my soul, from what great

mind Came all these glorious ideas and designs? What is the Mamph, and who its guiding lights?
What subtle brain hath wrought triumph-

This vivid portrait of the mighty dead And their divine conceptions? The writer has seen many brilliant and beautiful pageants of various de-scriptions in various parts of the world. He has enjoyed carnivals in Venice and Rome: he has seen the gorgeous spectacular displays in the great theaters of Paris and London, incomparably the finest of which was the production of the 'Midsummer Night's Dream" in ner's lien would also be applicable to London, a few years ago, but he has no | the first clerk, and upon principle and hesitation in saying that the display of the Memphi far outshone them all. The poetic beauty of the conception, the his-torical correctness of the detail, the artistic skill and finish of the production, stamped the designer and director of the pageant as a master mind—one gifted by nature and whose gifts were cultivatplay, what shall we say of the tableaux at the Theater? Words fail us in attempting to give even an outline of their weird and wondrous beauty. As debt, good against all subsequent ven-the curtain rose and disclosed each living picture an involuntary exclamation of surprise pervaded the whole of the in rem and without regard to the ownervast crowd that packed the New Mem- ship of the vessel). A mortgage is only phis from pit to dome. Nor was it be. a conditional sale or transfer, and cause the spectacle appealed simply to the as an absolute sale or transfer of lution to employ an assistant for the eye. The thou ands who gazed entranced the title cannot effect maritime sergeant at-arms, laid on the table at the last meeting, and moved that the resolution be adopted. Pending the motion beyond the seas. In the tableaux before them they saw not merely a skillful tion was resumed, resulting in the passage of the resolution with the amendand set off by vari-colored fires, they ment that the assistant be employed saw a grand sesthetic idea, conceived in risk his services, his property or his perment that the assistant be employed not to exceed three months at a salary the brain of a poet, elaborated by a son upon a boat. This position is fully of expents, five dollars per month substantial scholar, and put upon the scene by an sustained by all authorities; hence the The petition of Mrs. Gray for remis- artist of the highest skill. The most mortgages can only claim any surplus sion of license was recalled from the table where it had been laid at a previous meeting, and referred to the city

and this neighbor was, "Who hat it is that remains after satisfying all of the maritime liens against the vessel. all over, and since we believe that the LEGAL PROPOSITIONS IN AN INSURANCE public should "know, and knowing, ap-preciate" the man who, in the hidden recesses of his brain, had elaborated and had brought forth the greatest spectacle

Important Decision in Admiralty by Judge R. A. Hill, of the U. S. District Court for Southern Mississippi.

INSURANCE.

Zollinger vs. The Steamer Emma-A Mortgager Can Only Take Surplus After All Other Mar-

We present the syllabus of an interesting admiralty case decided by Judge R. A. Hill, in the United States district court of southern Mississippi, during its January term at Jackson. The style of the case was Zollinger versus the steamer Emms, the questions presented for deof said steamboat, to the libel and interventions, and also upon exceptions filed by the libellant and other intervenors to trade, Memphis has all along been prom as master, and J. B. Denny as clerk, Bazinsky and Hirsch, supply men, and

ubstance, as follows: tween two ports of the same State.

tons burthen. not maritime contracts. The court held that the admiralty jucludes all navigable waters in the State, with one supernumerary is composed the same not being limited to the ebb of the following players: James L and flow of the tide. Admiralty courts Clinton, of Brooklyn; Wm. Moore, of have jurisdiction over all maritime contracts to be performed by, or all torts committed by vessels navigating the navigable rivers and waters of the G. W. Proctor and M. Fell, of Mem-

United States, whether the same be phis. Knowing ones say that this is a wholly within one State or passing strong nine, and will win many a vic through several States. [Vide case Bel- tory for Memphis during the present fast, Wallace 7th, p. 642, which is not season. overruled by Lottowanna, Watlace 21st, p. 588.] The courts of admiralty can enforce liens given by State laws upon vessels for supplies and materials for nished at the home port; supplies furnished at the home port do not create a lien. It was unnecessary to aver the vessel to be of twenty tons, and if neces sary such defect could have been cured by allegation that she was of more than one hundred tons. Admiralty jurisdiction in no way depends upon the residence or citizenship of the par-ties. There can be no quesas to mariners' being the first lien upon the boat. though act of the Mississippi legisla-ture, March 4, 1874, provides for an attachment, and gives an implied lien against a vessel for supplies and materisis furnished at the home port, no such implied lien can be maintained, and if intended to give a remedy in rem against the vessel enforcible in the State court, it would be an infringement upon the exclusive admiralty jurisdiction of the United States court, and void under the decision of the supreme court in the Beifast case. Hence these claims constitute no claim. The court maintains the liability of the vessel in rem, for the safe upon C. O. D. bills-i. e., where the master of the vessel contracted to deliver goods to the consignees to whom they had been sold, and collect and bring back the price thereof to the shipper. The master of the vessel acts as the master of the vessel, and not as the agent of the shipper, where a eargo of goods is delivered to his vessel upon a contract that the master shall convey

them to some market and there sel them for account of the owner. He acts as the master of the ship until he sell and deliver the goods, but after he seils and receives the money he is agent of the shipper; hence for any breach of contract of affreightment the vessel is liable, but for any default in payment of the money to the shipper the master is personally liable only. There is a marked distinction between such a case and one in which the consignor upon an agreement that money is to be paid upon delivery of the goods hence the contract being entirely one of affreightment. The master in such case contracts to transport the goods to the consignee and transport the money delivered to him by consignee back to consignor, or if the money is not placed upon the vessel by the consignee to retransport the goods to the shipper. The duties assumed are entirely those of a common carrier, and a common carrier is as much liable for a failure to trans port and deliver the money received by him for transpor ation as he is for a failure to deliver any other character of freight. The claims of this class, so far as proved, must, therefore, be allowed as liens upon the vessel, the exception to the claim of John King, master of the vessel, for his wages, insisting that the same is a lien upon the vessel en-forcible in rem. His contract is with the owner, and only recoverable against him personally. The claim is not a lien and must be disallowed, and in the same way is the claim of the first clerk, J. B. Denny, disposed of. The first clerk of a steamboat is the chief financial agent of the owner, employed by him, and ac-countable to him and not to the master. He receives and handles all the moneys for the boat, pays the wages of the crew, and practically pays the master of the vessel himself his wages; and, having the money of the boat in his hands, pays his own salary. A lien is given to mariners for their wages because they are

employed by the master of the vessel on the credit of the vessel, and would in most cases be practically without remedy if they were compelled to hunt up and sue unknown owners. No such po sition is occupied by the first clerk, who is financial agent of the owner, and can at all times pay himself out of moneys in his hands, which he receives for freight and passage. Judge Hill thinks that the office of first clerk is one unknown to the general admiralty law, and accordingly the master is the sole representative and agent of the owner. The same principles which exclude the reason, says Judge Hill, in the absence of adjudicated cases I am satisfied that Bazinsky & Hirsh was for money advanced in the home port, does not rank any higher than supplies and materials and must be disallowed. As regards to the claim of the mortagee, Bazinsky, it is not a maritime lien, but only a lien upon the vessel subject to all maritime liens; it is good from the date of its record, giving a lien for his mortgage holding maritime liens (which are liens

beyond; for every employe, shipper, and every passenger would have to examine

CASE. Cincinnati Commercial.1 The Memphis and Arkansas River Packet Company vs. the Peabody Insurance Com-

This case proceeded yesterday, before Judge Yaple. Two legal propositions were discussed—first, whether from the gross amount for repairs of the steamboat must be deducted one-third new from old, as claimed by the defense; and, secondly, whether the agreed value of the boat was to form the basis in coming to a conclusion on the question whether a conclusion on the question whether a conclusion on the question whether a for freight or passage apply to No. 30 Front No. 30 Front ATTEND Robertson's Business College, repair her, or whether the basis was to

be her value after she was raised and repaired. The court will dispose of these points on Monday, and the result will determine whether the case will be sub mitted to the jury or withdrawn from them, and a judgment taken in accordance with the ruling of the court. T. D.

BASE BALL.

tiff; Judge Matthews, contra.

Lincoln and Charles Stephens for plain-

Organization of a First-Class Profes sional Club in Memphis-The First Nine Already in the Field.

We are pleased to know that Memphis has at last organized a professional base ball club, and in this respect will contend with St. Louis, Chicago, Louiscision arising upon the exceptions of the | ville. Cincinnati and other large cities, intervenor, Samuel Bazinsky, mortagee | for a share of the honors belonging to the great American game. In cotton commerce, trade, and other branches of the claims propounded by John King | inent, but at no time within her past history has our city been able to exer-Forbes and Fitzpatrick on contract of prise requisite for the judicious organizaaffreightments. The exceptions filed tion and proper support of a professional by the intervenor, Bazinsky, were, in | base ball club. This has now been accomplished, the name of the organiza-First—That there is no lien for any of the claims propounded, because the Ball Club of Memphis." We Emma was engaged in navigation ba- are gratified to know that the members composing the Olympic are gentle Second-That there is no averment | men of position, influence and means, that the boat is of more than twenty whose endeavor will be to have a club here that will be proficient in the science Third-That there is no jurisdiction and able to play any in the land. In in the court because all the libeliants this connection we acknowledge our and owners of the boat are residents and thanks to the Olympic club for the honcitizens of the State of Mississippi.

Fourth — That contracts to deliver us. The grounds of the club, located goods to consignees and return money on the line of the Louisville road at the collected from said consignees, on what outskirs of the city, are well graded and are commonly called C. O. D. bills, are | enclosed with high fences, containing an amphitheater which will accommo date over five hundred spectators. The isdiction of the court extends to and in- first nine is already in the field, and

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